

III. REMARKS

This non-provisional application is a U.S. patent application based on the International Application No. PCT/EP2004/010486, which was filed on 17 September 2004, and claims priority as of 19 September 2003.

In the Notice of Non-Compliant Amendment, the Office indicates that the claims fail to comply with the requirements of 37 C.F.R. 1.121, as not being provided with proper status identifiers. With respect to each of the listed claims, Applicants have herein provided proper status identifiers. The claims themselves have not been amended. Applicants respectfully submit that the claims, as recited herein, comply with the requirements of 37 C.F.R. 1.121.

Further, Applicants have included a marked up copy and clean copy of a substitute specification (including the Abstract) for this application. The substitute specification is believed to improve clarity, and is not believed to add any additional subject matter. The substitute specification includes the amendments made in the preliminary amendment dated 16 March 2006, which are shown marked up in the marked up version of the substitute specification.

A clean copy of the substitute specification (without inclusion of the amendments in the preliminary amendment) was originally submitted to the Office on 16 March 2006. However, in processing the application, the Office incorrectly used the “Original Translation of PCT Application” as the specification. Prior submission of the substitute specification is illustrated by the following evidence:

Exhibit A: Postcard indicating the Office’s receipt of the application 10/572,199, including “Original Translation of PCT Application” and “Application for U.S. Letters Patent with 6 sheets of Drawings”;

Exhibit B: Copy of the “Original Translation of PCT Application” document as filed;

Exhibit C: Copy of the “Application for U.S. Letters Patent” as filed;

Exhibit D: Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371, including Item #6 (English language translation of International Application) and Item #15 (substitute specification); and

Exhibit E: Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), 8 November 2006, indicating that the Office was in receipt of “English Translation of the IA” and “Substitute Specification”, both of which were filed on 03/16/2006.

In light of the above, Applicants respectfully submit that the substitute specification is proper and should be entered.

Applicants respectfully submit that the Application as presented is in condition for allowance, and request prompt consideration thereof. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is requested to contact Applicants’ undersigned attorney at the telephone number listed below.

Respectfully submitted,

/John LaBatt/

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